



Attorney Docket No.

Patent
032796-217

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

John P. CARULLI et al.

Group Art Unit: 1633

Application No.: 10/731,739

Examiner: Unassigned

Filing Date: December 10, 2003

Confirmation No.: 5366

Title: HIGH BONE MASS GENE OF 11q13.3

SECOND
INFORMATION DISCLOSURE STATEMENT
TRANSMITTAL LETTER

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Enclosed is a SECOND Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

- No additional fee for submission of an IDS is required.
- The fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- A statement under 37 C.F.R. § 1.97(e) is also enclosed.
- A statement under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- Charge _____ to Deposit Account No. 02-4800 for the fee due.
- A check in the amount of _____ is enclosed for the fee due.
- Charge _____ to credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

Date: July 21, 2004

By

Mercedes K. Meyer

Registration No. 44,939

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of)
John P. CARULLI et al.) Group Art Unit: 1633
Application No.: 10/731,739) Examiner: Unassigned
Filed: December 10, 2003) Confirmation No.: 5366
For: HIGH BONE MASS GENE OF)
11q13.3)

SECOND INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98.

I, the undersigned, hereby state that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Information Disclosure Statement. Only two of the documents cited in the Search Report are being submitted. The remaining documents were previously identified in the Information Disclosure Statement filed December 10, 2003, and are not again being provided here.

The Examiner's attention is directed to copending application numbers:
09/544,398, naming Carulli et al. as inventors, and filed on April 5, 2000;
09/543,771, naming Carulli et al. as inventors, and filed on April 5, 2000;
09/578,900, naming Carulli et al. as inventors and filed on May 26, 2000;
10/240,851, naming Carulli et al. as inventors, and filed on October 4, 2002;
10/680,287, naming Askew et al. as inventors and filed on October 8, 2003;
10/477,173, naming Allen et al. as inventors, and filed November 10, 2003;

Second Information Disclosure Statement

Application No. 10/731,739

Attorney's Docket No. 032796-217

Page 2

10/477,238, and naming Babij et al. as inventors, and filed on April 12, 2004; 10/374,979, naming Carulli et al. as inventors, and filed on February 28, 2003, and 10/834,377, naming Carulli et al. as inventors, and filed on April 29, 2004, and the documents cited therein, a copy of which is enclosed.

In accordance with MPEP § 609 III C(2) (August 2001, page 600-131), the Office is requested to return a copy of this Information Disclosure Statement with the Examiner's initials adjacent to this paragraph indicating that this copending application has been considered. By citation to the copending application, confidentiality is not waived and the Office is requested to maintain the confidentiality of the copending application under 35 U.S.C. § 122.

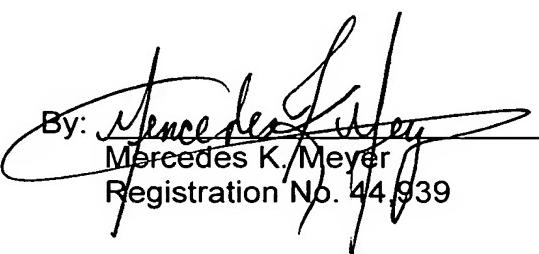
To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date July 21, 2004

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Substitute for form 1449A/PTO & 1449B/PTO			<i>Complete if Known</i>	
SECOND INFORMATION DISCLOSURE STATEMENT BY APPLICANT <small>(use as many sheets as necessary)</small>			 JUL 21 2004	
			Application Number	10/731,739
			Filing Date	December 10, 2003
			First Named Inventor	John P. CARULLI et al.
			Examiner Name	Unassigned
			Attorney Docket Number	032796-217
Sheet	1	of	1	

U.S. PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (MM-DD-YYYY)
	09/544,398		Carulli et al.	04-05-2000
	09/543,771		Carulli et al.	04-05-2000
	09/578,900		Carulli et al.	05-26-2000
	10/240,851		Carulli et al.	10-04-2002
	10/680,287		Askew et al.	10-08-2003
	10/477,173		Allen et al.	11-10-2003
	10/477,238		Babij et al.	04-12-2004
	10/731,739		Carulli et al.	12-10-2003
	10/834,377		Carulli et al.	04-29-2004

FOREIGN PATENT DOCUMENTS

NON-PATENT LITERATURE DOCUMENTS

Examiner Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	European Search Report dated May 4, 2004

Examiner Signature _____ **Date Considered** _____

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.